



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/071,843
Filing Date February 8, 2002
Inventor John Cummings
Assignee Valence Technology, Inc.
Group Art Unit 2838
Examiner P. Tibbits
Attorney's Docket No. VA16-005
Title: Circuits, Apparatuses, Electrochemical Device Charging Methods, and Lithium-Mixed Metal Electrode Cell Charging Methods

TERMINAL DISCLAIMER

I, James D. Shaurette, residing at Liberty Lake, Washington, represent that I am the attorney of record for Valence Technology, Inc., a corporation of the state of Nevada. Valence Technology, Inc. is the owner of all right, title and interest of this U.S. Patent Application Serial No. 10/071,843, filed February 8, 2002, as evidenced by an assignment recorded October 14, 2003, at Reel 014047, Frames 0664-0668 in the U.S. Patent and Trademark Office.

Valence Technology, Inc. is also the owner of all right, title and interest in copending U.S. Patent Application Serial No. 10/071,850 as evidenced by an assignment recorded June 10, 2002, at Reel 012984, Frames 0881-0884, in the U.S. Patent and Trademark Office.

The evidentiary documents have been reviewed, and I certify that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Valence Technology, Inc. hereby disclaims the terminal part of any future patent granted on this U.S. Patent Application Serial No. 10/071,843 which

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extends beyond the expiration date of any patent issuing on the U.S. Patent Application Serial No. 10/071,850, and further hereby agrees that any future patent so granted on this U.S. Patent Application Serial No. 10/071,843 shall be enforceable only for and during such period that the legal title to any future patent on the U.S. Patent Application Serial No. 10/071,843 shall be the same as the legal title to any patent issued from U.S. Patent Application Serial No. 10/071,850. This agreement is to run with any patent granted on the 10/071,843 application and is to be binding upon the grantee of such patent and its successors or assigns.

Valence Technology, Inc. does not disclaim any terminal part of any patent granted on this 10/071,843 application prior to the expiration date of the full statutory term of the United States Patent Application Serial No. 10/071,850 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued in any manner or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The fee required by 37 C.F.R. 1.20(d) is submitted herewith. The Commissioner is hereby authorized to charge payment of any additional fees or credit overpayments to Deposit Account No. 23-0925.

The undersigned, James D. Shaurette, hereby indicates that he is authorized to sign this document on behalf of the assignee, Valence Technology, Inc.

Respectfully submitted,

Dated: _____

11/6/03

By: _____



James D. Shaurette
Reg. No. 39,833